

REMARKS

Claims 1-10 are pending in the above-identified application. These claims have been subjected to a Unity Invention Requirement as follows:

Group I -- claims 1-5, 8 and 9 directed to compounds and compositions; and

Group II -- claims 6, 7 and 10 directed to process for preparing the compounds and a method for using the compounds.

Responsive Election

Applicant hereby elects the subject matter of Group I, i.e. claims 1-5, 8 and 9. This election is made with a traversal based on the reasons indicated below.

Reasons for Traversal

The above-noted Requirement is respectfully traversed. In the Office Action of March 25, 2008, Pfrengle '360 (USP 5,994,360) is cited as a basis for the above-noted Requirement. However, the elected claims of the present application differ from Pfrengle '360 in at least two significant ways:

(1) Pfrengle '360 requires substitution of the corresponding amino group nitrogen at position 7 of the triazolopyrimidine skeleton, where as the structure of the present compounds does not include a substituted nitrogen atom; and

(2) Pfrengle '360 requires a phenyl group to be substituted at position 6 of the triazolopyrimidine skeleton in contrast to the non-cyclic alkyl or alkoxyalkyl group R¹ in the structure of the compounds of the present claims.

In addition to the above, it is noted that 37 CFR 1.475(b) allows for the examination of subject matter from different categories, notably a product and a "process of use of said product"

under 1.475(b)(2). In this present situation at least claim 10 (method of use) should be examined together with the elected subject matter of Group I, since this relationship exist.

In addition to the above, it is respectfully requested that the Patent Examiner consider re-joinder of the process-to-make claims 6 and 7 together with the elected subject matter of Group I since this is apporiate in the present situation.

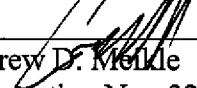
If any questions arise in the above matters, please contact Applicant's representative, Andrew D. Meikle (Reg. No. 32,868), in the Washington Metropolitan Area at the phone number listed below.

- ☐ Attached is a Petition for Extension of Time.
- ☐ Attached hereto is the fee transmittal listing the required fees.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

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Respectfully submitted,

By 
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